

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 1326

By: Albright

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5
6 AS INTRODUCED

7 An Act relating to dyslexia; amending 70 O.S. 2011,
8 Section 6-194, as last amended by Section 1, Chapter
9 246, O.S.L. 2015 (70 O.S. Supp. 2018, Section 6-194),
10 which relates to professional development programs;
11 mandating annual training program for dyslexia;
12 listing components of training program; amending 70
13 O.S. 2011, Section 1210.508C, as last amended by
14 Section 1, Chapter 213, O.S.L. 2017 (70 O.S. Supp.
15 2018, Section 1210.508C), which relates to the
16 Reading Sufficiency Act; requiring dyslexia screening
17 assessment for outgoing first-grade students not
18 reading at grade level; and providing an effective
19 date.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-194, as
22 last amended by Section 1, Chapter 246, O.S.L. 2015 (70 O.S. Supp.
23 2018, Section 6-194), is amended to read as follows:

24 Section 6-194. A. The district boards of education of this
state shall establish professional development programs for the
certified teachers and administrators of the district. Programs
shall be adopted by each board based upon recommendations of a
professional development committee appointed by the board of

1 education for the district. For the fiscal years ending June 30,
2 2011, and June 30, 2012, a school district board of education may
3 elect not to adopt and offer a professional development program for
4 certified teachers and administrators of the district. If a school
5 district elects not to adopt and offer a professional development
6 program, the district may expend any monies allocated for
7 professional development for any purpose related to the support and
8 maintenance of the school district as determined by the board of
9 education of the school district.

10 B. Each professional development committee shall include
11 classroom teachers, administrators, school counselors or licensed
12 mental health providers, and parents, guardians or custodians of
13 children in the school district and shall consult with a higher
14 education faculty. A majority of the members of the professional
15 development committee shall be composed of classroom teachers. The
16 teacher members shall be selected by a designated administrator of
17 the school district from a list of names submitted by the teachers
18 in the school district. The members selected shall be subject to
19 the approval of a majority vote of the teachers in the district.

20 C. In developing program recommendations, each professional
21 development committee shall annually utilize a data-driven approach
22 to analyze student data and determine district and school
23 professional development needs. The professional development
24 programs adopted shall be directed toward development of

1 competencies and instructional strategies in the core curriculum
2 areas for the following goals:

- 3 1. Increasing the academic performance data scores for the
4 district and each school site;
- 5 2. Closing achievement gaps among student subgroups;
- 6 3. Increasing student achievement as demonstrated on state-
7 mandated tests and the ACT;
- 8 4. Increasing high school graduation rates; and
- 9 5. Decreasing college remediation rates.

10 Each program may also include components on classroom management
11 and student discipline strategies, outreach to parents, guardians or
12 custodians of students, special education, and racial and ethnic
13 education, which all personnel defined as teachers in Section 1-116
14 of this title shall be required to complete on a periodic basis.
15 The State Board of Education shall provide guidelines to assist
16 school districts in developing and implementing racial and ethnic
17 education components into professional development programs.

18 D. At a minimum of once an academic year a program shall be
19 offered which includes the following:

- 20 1. Training on recognition of child abuse and neglect;
- 21 2. Recognition of child sexual abuse;
- 22 3. Proper reporting of suspected abuse; and
- 23 4. Available resources.

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1 E. One time per year, beginning in the 2009-2010 school year,
2 training in the area of autism shall be offered and all resident
3 teachers of students in early childhood programs through grade three
4 shall be required to complete the autism training during the
5 resident year and at least one time every three (3) years
6 thereafter. All other teachers and education support professionals
7 of students in early childhood programs through grade three shall be
8 required to complete the autism training at least one time every
9 three (3) years. The autism training shall include a minimum
10 awareness of the characteristics of autistic children, resources
11 available and an introduction to positive behavior supports to
12 challenging behavior. Each adopted program shall allow school
13 counselors to receive at least one-third (1/3) of the hours or
14 credit required each year through programs or courses specifically
15 designed for school counselors.

16 Districts are authorized to utilize any means for professional
17 development that is not prohibited by law including, but not limited
18 to, professional development provided by the district, any state
19 agency, institution of higher education, or any private entity.

20 F. One time per year, beginning in the 2020-2021 school year, a
21 dyslexia training program shall be offered. At a minimum, the
22 program shall include:

- 23 1. Awareness of dyslexia;
- 24 2. Training in identifying dyslexia indicators in students; and

1 3. Training in effective classroom instruction to meet the
2 needs of students with dyslexia.

3 G. Except as otherwise provided for in this subsection, each
4 certified teacher in this state shall be required by the district
5 board of education to meet the professional development requirements
6 established by the board, or established through the negotiation
7 process. Except as otherwise provided for in this subsection, the
8 professional development requirements established by each board of
9 education shall require every teacher to annually complete a minimum
10 number of the total number of points required to maintain
11 employment. Failure of any teacher to meet district board of
12 education professional development requirements may be grounds for
13 nonrenewal of such teacher's contract by the board. Such failure
14 may also be grounds for nonconsideration of salary increments
15 affecting the teacher. For the fiscal years ending June 30, 2011,
16 and June 30, 2012, a certified teacher shall not be required to
17 complete any points of the total number of professional development
18 points required. Provided, a teacher may elect to complete some or
19 all of the minimum number of points required for the two (2) fiscal
20 years and any points completed shall be counted toward the total
21 number of points required to maintain employment. If a teacher does
22 not complete some or all of the minimum number of points required
23 for one (1) or both fiscal years, the total number of points
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1 required to maintain employment shall be adjusted and reduced by the
2 number of points not completed.

3 ~~G.~~ H. Each district shall annually submit a report to the State
4 Department of Education on the district level professional
5 development needs, activities completed, expenditures, and results
6 achieved for each school year by each goal as provided in subsection
7 C of this section. If a school district elects not to adopt and
8 offer a professional development program as provided for in
9 subsection A of this section, the district shall not be required to
10 submit an annual report as required pursuant to this subsection but
11 shall report to the State Department of Education its election not
12 to offer a program and all professional development activities
13 completed by teachers and administrators of the school district.

14 ~~H.~~ I. Subject to the availability of funds, the Department
15 shall develop an online system for reporting as required in
16 subsection ~~E~~ H of this section. The Department shall also make such
17 information available on its website.

18 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.508C,
19 as last amended by Section 1, Chapter 213, O.S.L. 2017 (70 O.S.
20 Supp. 2018, Section 1210.508C), is amended to read as follows:

21 Section 1210.508C A. 1. Each student enrolled in kindergarten
22 in a public school in this state shall be screened for reading
23 skills including, but not limited to, phonemic awareness, letter
24 recognition, and oral language skills as identified in the subject

1 matter standards adopted by the State Board of Education. A
2 screening instrument approved by the State Board shall be utilized
3 for the purposes of this section.

4 2. For those kindergarten children at risk for reading
5 difficulties, teachers shall emphasize reading skills as identified
6 in the subject matter standards adopted by the State Board of
7 Education, monitor progress throughout the year and measure year-end
8 reading progress.

9 3. Classroom assistants, which may include parents,
10 grandparents, or other volunteers, shall be provided in kindergarten
11 classes to assist with the screening of students if a teacher aide
12 is not already employed to assist in a kindergarten classroom.

13 B. 1. Each student enrolled in kindergarten, first, second and
14 third grade of the public schools of this state shall be assessed at
15 the beginning and end of each school year using a screening
16 instrument approved by the State Board of Education for the
17 acquisition of reading skills including, but not limited to,
18 phonemic awareness, phonics, reading fluency, vocabulary, and
19 comprehension.

20 2. Any student who is assessed and found not to be reading at
21 the appropriate grade level shall be provided a program of reading
22 instruction designed to enable the student to acquire the
23 appropriate grade level reading skills. The program of reading
24 instruction shall include provisions of the ~~READ~~ Reading Enhancement

1 and Acceleration Development (READ) Initiative adopted by the school
2 district as provided for in subsection O of this section.

3 3. Throughout the year progress monitoring shall continue, and
4 diagnostic assessment, if determined appropriate, shall be provided.
5 Year-end reading skills shall be measured to determine reading
6 success.

7 4. Any student enrolled in first grade who is assessed at the
8 end of the school year and found not to be reading at the
9 appropriate grade level shall be given a dyslexia screening
10 assessment.

11 C. The State Board of Education shall approve screening
12 instruments for use at the beginning and end of the school year, for
13 monitoring of progress, and for measurement of reading skills at the
14 end of the school year as required in subsections A and B of this
15 section; provided, at least one of the screening instruments shall
16 meet the following criteria:

17 1. Assess for phonemic awareness, phonics, reading fluency, and
18 comprehension;

19 2. Document the validity and reliability of each assessment;

20 3. Can be used for diagnosis and progress monitoring;

21 4. Can be used to assess special education and limited-English-
22 proficient students; and

23 5. Accompanied by a data management system that provides
24 profiles for students, class, grade level and school building. The

1 profiles shall identify each student's instructional point of need
2 and reading achievement level. The State Board shall also determine
3 other comparable reading assessments for diagnostic purposes and for
4 periodic and post assessments to be used for students at risk of
5 reading failure. The State Board shall ensure that any assessments
6 approved are in alignment with the subject matter standards adopted
7 by the State Board of Education.

8 D. 1. The program of reading instruction required in
9 subsection B of this section shall align with the subject matter
10 standards adopted by the State Board of Education and shall include
11 provisions of the READ Initiative adopted by the school district as
12 provided for in subsection O of this section. A program of reading
13 instruction may include, but is not limited to:

- 14 a. sufficient additional in-school instructional time for
15 the acquisition of phonemic awareness, phonics,
16 reading fluency, vocabulary, and comprehension,
- 17 b. if necessary, tutorial instruction after regular
18 school hours, on Saturdays and during summer; however,
19 such instruction may not be counted toward the one-
20 hundred-eighty-day or one-thousand-eighty-hour school
21 year required in Section 1-109 of this title, and
- 22 c. assessments identified for diagnostic purposes and
23 periodic monitoring to measure the acquisition of
24 reading skills including, but not limited to, phonemic

1 awareness, phonics, reading fluency, vocabulary, and
2 comprehension, as identified in the student's program
3 of reading instruction.

4 2. A student enrolled in first or second grades who has been
5 assessed as provided for in subsection B of this section and found
6 not to be reading at the corresponding grade level, shall be
7 entitled to individualized remediation in reading until the student
8 is determined by the results of a screening instrument to be reading
9 on grade level. The program of reading instruction for each student
10 shall be developed by a Student Reading Proficiency Team and shall
11 include individualized remediation. Each team shall be composed of:

- 12 a. the parent or guardian of the student,
- 13 b. the teacher assigned to the student who had
14 responsibility for reading instruction in that
15 academic year,
- 16 c. a teacher who is responsible for reading instruction
17 and is assigned to teach in the next grade level of
18 the student, and
- 19 d. a certified reading specialist, if one is available.

20 E. The program of reading instruction shall continue until the
21 student is determined by the results of approved reading assessments
22 to be reading on grade level.

23 F. 1. Every school district shall adopt, and implement a
24 district reading sufficiency plan which has had input from school

1 administrators, teachers, and parents and if possible a reading
2 specialist, and which shall be submitted electronically to and
3 approved by the State Board of Education. The plan shall be updated
4 annually. School districts shall not be required to electronically
5 submit the annual updates to the Board if the last plan submitted to
6 the Board was approved and expenditures for the program include only
7 expenses relating to individual and small group tutoring, purchase
8 of and training in the use of screening and assessment measures,
9 summer school programs and Saturday school programs. If any
10 expenditure for the program is deleted or changed or any other type
11 of expenditure for the program is implemented, the school district
12 shall be required to submit the latest annual update to the Board
13 for approval. The district reading sufficiency plan shall include a
14 plan for each site which includes an analysis of the data provided
15 by the Oklahoma School Testing Program and other reading assessments
16 utilized as required in this section, and which outlines how each
17 school site will comply with the provisions of the Reading
18 Sufficiency Act.

19 2. The State Board of Education shall adopt rules for the
20 implementation and evaluation of the provisions of the Reading
21 Sufficiency Act. The evaluation shall include, but not be limited
22 to, an analysis of the data required in subsection S of this
23 section.

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1 G. For any third-grade student found not to be reading at grade
2 level as determined by reading assessments administered pursuant to
3 this section, a new program of reading instruction, including
4 provisions of the READ Initiative adopted by the school district as
5 provided for in subsection O of this section, shall be developed by
6 a Student Reading Proficiency Team and implemented as specified in
7 subsection D of this section. In addition to other requirements of
8 the Reading Sufficiency Act, the plan may include specialized
9 tutoring.

10 H. 1. Any first-grade, second-grade or third-grade student who
11 demonstrates proficiency in reading at the third-grade level through
12 a screening instrument which meets the acquisition of reading skills
13 criteria pursuant to subsection B of this section shall not be
14 subject to retention pursuant to this section. After a student has
15 demonstrated proficiency through a screening instrument, the
16 district shall provide notification to the parent or guardian of the
17 student that they have satisfied the requirements of the Reading
18 Sufficiency Act and will not be subject to retention pursuant to
19 this section.

20 2. If a third-grade student is identified at any point of the
21 academic year as having a significant reading deficiency, which
22 shall be defined as scoring below proficient on a screening
23 instrument which meets the acquisition of reading skills criteria
24 pursuant to subsection B of this section, the district shall

1 immediately begin a student reading portfolio as provided by
2 subsection K of this section and shall provide notice to the parent
3 of the deficiency pursuant to subsection I of this section.

4 3. If a student has not yet satisfied the proficiency
5 requirements of this section prior to the completion of third grade
6 and still has a significant reading deficiency, as identified based
7 on assessments administered as provided for in subsection B of this
8 section, has not accumulated evidence of third-grade proficiency
9 through a student portfolio as provided in subsection K of this
10 section, or is not subject to a good-cause exemption as provided in
11 subsection K of this section, then the student shall not be eligible
12 for automatic promotion to fourth grade.

13 4. a. For the 2016-2017 school year, a student not eligible
14 for automatic promotion as provided for in paragraph 3
15 of this subsection and who scores at the
16 unsatisfactory level on the reading portion of the
17 statewide third-grade assessment administered pursuant
18 to Section 1210.508 of this title may be evaluated for
19 probationary promotion by the Student Reading
20 Proficiency Team. Beginning with the 2017-2018 school
21 year, a student not eligible for automatic promotion
22 as provided for under paragraph 3 of this subsection
23 and who scores below the proficiency level on the
24 reading portion of the statewide third-grade

1 assessment administered pursuant to Section 1210.508
2 of this title may be evaluated for probationary
3 promotion by the Student Reading Proficiency Team
4 which was created for the student pursuant to
5 subsection D of this section.

6 b. The student shall be promoted to the fourth grade if
7 the team members unanimously recommend probationary
8 promotion to the school principal and the school
9 district superintendent and the principal and
10 superintendent approve the recommendation that
11 promotion is the best option for the student. If a
12 student is allowed a probationary promotion, the team
13 shall continue to review the reading performance of
14 the student and repeat the requirements of this
15 paragraph each academic year until the student
16 demonstrates grade-level reading proficiency, as
17 identified through a screening instrument which meets
18 the acquisition of reading skills criteria pursuant to
19 subsection B of this section, for the corresponding
20 grade level in which the student is enrolled or
21 transitions to the requirements set forth by the
22 Achieving Classroom Excellence Act.

23 5. Beginning with the 2017-2018 school year, students who score
24 below the proficient level on the reading portion of the statewide

1 third-grade assessment administered pursuant to Section 1210.508 of
2 this title, who are not subject to a good cause exemption as
3 provided in subsection K of this section, and who do not qualify for
4 promotion or probationary promotion as provided in this subsection,
5 shall be retained in the third grade and provided intensive
6 instructional services and supports as provided for in subsection N
7 of this section.

8 6. Each school district shall annually report to the State
9 Department of Education the number of students promoted to the
10 fourth grade pursuant to this subsection and the number of students
11 promoted to a subsequent grade pursuant to the provisions in
12 paragraph 4 of this subsection. The State Department of Education
13 shall publicly report the aggregate and district-specific number of
14 students promoted on their website and shall provide electronic
15 copies of the report to the Governor, Secretary of Education,
16 President Pro Tempore of the Senate, Speaker of the House of
17 Representatives, and to the respective chairs of the committees with
18 responsibility for common education policy in each legislative
19 chamber.

20 7. Nothing shall prevent a school district from applying the
21 principles of paragraphs 3 and 4 of this subsection in grades
22 kindergarten through second grade.

23 8. To determine the promotion and retention of third-grade
24 students pursuant to the Reading Sufficiency Act, the State Board of

1 Education shall use only the reading comprehension and vocabulary
2 scores portion of the statewide third-grade assessment administered
3 pursuant to Section 1210.508 of this title and shall not use the
4 other language arts scores portions of the assessment.

5 I. The parent of any student who is found to have a reading
6 deficiency and is not reading at the appropriate grade level and has
7 been provided a program of reading instruction as provided for in
8 subsection B of this section shall be notified in writing of the
9 following:

10 1. That the student has been identified as having a substantial
11 deficiency in reading;

12 2. A description of the current services that are provided to
13 the student pursuant to a conjoint measurement model such that a
14 reader and a text are placed on the same scale;

15 3. A description of the proposed supplemental instructional
16 services and supports that will be provided to the student that are
17 designed to remediate the identified area of reading deficiency;

18 4. That the student will not be promoted to the fourth grade if
19 the reading deficiency is not remediated by the end of the third
20 grade, unless the student is otherwise promoted as provided for in
21 subsection H of this section or is exempt for good cause as set
22 forth in subsection K of this section;

23 5. Strategies for parents to use in helping their child succeed
24 in reading proficiency;

1 6. The grade-level performance scores of the student;

2 7. That while the results of the statewide assessments
3 administered pursuant to Section 1210.508 of this title are the
4 initial determinant, they are not the sole determiner of promotion
5 and that portfolio reviews and assessments are available; and

6 8. The specific criteria and policies of the school district
7 for midyear promotion implemented as provided for in paragraph 4 of
8 subsection N of this section.

9 J. No student may be assigned to a grade level based solely on
10 age or other factors that constitute social promotion.

11 K. For those students who do not meet the academic requirements
12 for promotion and who are not otherwise promoted as provided for in
13 subsection H of this section, a school district may promote the
14 student for good cause only. Good-cause exemptions for promotion
15 shall be limited to the following:

16 1. Limited-English-proficient students who have had less than
17 two (2) years of instruction in an English language learner program;

18 2. Students with disabilities whose individualized education
19 program (IEP), consistent with state law, indicates that the student
20 is to be assessed with alternate achievement standards through the
21 Oklahoma Alternate Assessment Program (OAAP);

22 3. Students who demonstrate an acceptable level of performance
23 on an alternative standardized reading assessment approved by the
24 State Board of Education;

1 4. Students who demonstrate, through a student portfolio, that
2 the student is reading on grade level as evidenced by demonstration
3 of mastery of the state standards beyond the retention level;

4 5. Students with disabilities who participate in the statewide
5 assessments administered pursuant to Section 1210.508 of this title
6 and who have an individualized education program that reflects that
7 the student has received intensive remediation in reading for more
8 than two (2) years but still demonstrates a deficiency in reading
9 and was previously retained in prekindergarten for academic reasons,
10 kindergarten, first grade, second grade, or third grade;

11 6. Students who have received intensive remediation in reading
12 through a program of reading instruction for two (2) or more years
13 but still demonstrate a deficiency in reading and who were
14 previously retained in prekindergarten for academic reasons,
15 kindergarten, first grade, second grade, or third grade for a total
16 of two (2) years; and

17 7. Students who have been granted an exemption for medical
18 emergencies by the State Department of Education.

19 L. A student who is otherwise promoted as provided for in
20 subsection H of this section or is promoted for good cause as
21 provided for in subsection K of this section shall be provided
22 intensive reading instruction during an altered instructional day
23 that includes specialized diagnostic information and specific
24 reading strategies for each student. The school district shall

1 assist schools and teachers to implement reading strategies for the
2 promoted students that research has shown to be successful in
3 improving reading among low-performing readers.

4 M. Requests to exempt students from the retention requirements
5 based on one of the good-cause exemptions as described in subsection
6 K of this section shall be made using the following process:

7 1. Documentation submitted from the teacher of the student to
8 the school principal that indicates the student meets one of the
9 good-cause exemptions and promotion of the student is appropriate.
10 In order to minimize paperwork requirements, the documentation shall
11 consist only of the alternative assessment results or student
12 portfolio work and the individual education plan (IEP), as
13 applicable;

14 2. The principal of the school shall review and discuss the
15 documentation with the teacher and, if applicable, the other members
16 of the Student Reading Proficiency Team as described in subsection D
17 of this section. If the principal determines that the student meets
18 one of the good-cause exemptions and should be promoted based on the
19 documentation provided, the principal shall make a recommendation in
20 writing to the school district superintendent; and

21 3. After review, the school district superintendent shall
22 accept or reject the recommendation of the principal in writing.

23 N. Each school district shall:
24

1 1. Conduct a review of the program of reading instruction for
2 all students who score below the proficient level on the reading
3 portion of the statewide assessment administered pursuant to Section
4 1210.508 of this title and did not meet the criteria for one of the
5 good-cause exemptions as set forth in subsection K of this section.
6 The review shall address additional supports and services, as
7 described in this subsection, needed to remediate the identified
8 areas of reading deficiency. The school district shall require a
9 student portfolio to be completed for each retained student;

10 2. Provide to students who have been retained as set forth in
11 subsection H of this section with intensive interventions in
12 reading, intensive instructional services and supports to remediate
13 the identified areas of reading deficiency, including a minimum of
14 ninety (90) minutes of daily, uninterrupted, scientific-research-
15 based reading instruction. Retained students shall be provided
16 other strategies prescribed by the school district, which may
17 include, but are not limited to:

- 18 a. small group instruction,
- 19 b. reduced teacher-student ratios,
- 20 c. more frequent progress monitoring,
- 21 d. tutoring or mentoring,
- 22 e. transition classes containing third- and fourth-grade
23 students,
- 24 f. extended school day, week, or year, and

1 g. summer reading academies as provided for in Section
2 1210.508E of this title, if available;

3 3. Provide written notification to the parent or guardian of
4 any student who is to be retained as set forth in subsection H of
5 this section that the student has not met the proficiency level
6 required for promotion and was not otherwise promoted and the
7 reasons the student is not eligible for a good-cause exemption. The
8 notification shall include a description of proposed interventions
9 and intensive instructional supports that will be provided to the
10 student to remediate the identified areas of reading deficiency;

11 4. Implement a policy for the midyear promotion of a retained
12 student who can demonstrate that the student is a successful and
13 independent reader, is reading at or above grade level, and is ready
14 to be promoted to the fourth grade. Tools that school districts may
15 use in reevaluating any retained student may include subsequent
16 assessments, alternative assessments, and portfolio reviews, in
17 accordance with rules of the State Board of Education. Retained
18 students may only be promoted midyear prior to November 1 and only
19 upon demonstrating a level of proficiency required to score at the
20 proficient level on the statewide third-grade assessment
21 administered pursuant to Section 1210.508 of this title, or upon
22 demonstrating proficiency in reading at the third-grade level
23 through a screening instrument administered pursuant to subsection B
24 of this section, and upon showing progress sufficient to master

1 appropriate fourth-grade-level skills, as determined by the school.
2 A midyear promotion shall be made only upon agreement of the parent
3 or guardian of the student and the school principal;

4 5. Provide students who are retained with a high-performing
5 teacher who can address the needs of the student, based on student
6 performance data and above-satisfactory performance appraisals; and

7 6. In addition to required reading enhancement and acceleration
8 strategies, provide students who are retained with at least one of
9 the following instructional options:

- 10 a. supplemental tutoring in scientific-research-based
11 reading services in addition to the regular reading
12 block, including tutoring before or after school,
- 13 b. a parent-guided "Read at Home" assistance plan, as
14 developed by the State Department of Education, the
15 purpose of which is to encourage regular parent-guided
16 home reading, or
- 17 c. a mentor or tutor with specialized reading training.

18 O. Beginning with the 2011-2012 school year, each school
19 district shall establish a Reading Enhancement and Acceleration
20 Development (READ) Initiative. The focus of the READ Initiative
21 shall be to prevent the retention of third-grade students by
22 offering intensive accelerated reading instruction to third-grade
23 students who failed to meet standards for promotion to fourth grade

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1 and to kindergarten through third-grade students who are exhibiting
2 a reading deficiency. The READ Initiative shall:

3 1. Be provided to all kindergarten through third-grade students
4 at risk of retention as identified by the assessments administered
5 pursuant to the Reading Sufficiency Act. The assessment used shall
6 measure phonemic awareness, phonics, fluency, vocabulary, and
7 comprehension;

8 2. Be provided during regular school hours in addition to the
9 regular reading instruction; and

10 3. Provide a state-approved reading curriculum that, at a
11 minimum, meets the following specifications:

- 12 a. assists students assessed as exhibiting a reading
13 deficiency in developing the ability to read at grade
14 level,
- 15 b. provides skill development in phonemic awareness,
16 phonics, fluency, vocabulary, and comprehension,
- 17 c. provides a scientific-research-based and reliable
18 assessment,
- 19 d. provides initial and ongoing analysis of the reading
20 progress of each student,
- 21 e. is implemented during regular school hours,
- 22 f. provides a curriculum in core academic subjects to
23 assist the student in maintaining or meeting
24

1 proficiency levels for the appropriate grade in all
2 academic subjects,

- 3 g. establishes at each school, where applicable, an
4 Intensive Acceleration Class for retained third-grade
5 students who subsequently score below the proficient
6 level on the reading portion of the statewide
7 assessment administered pursuant to Section 1210.508
8 of this title. The focus of the Intensive
9 Acceleration Class shall be to increase the reading
10 level of a child at least two grade levels in one (1)
11 school year. The Intensive Acceleration Class shall:
- 12 (1) be provided to any student in the third grade who
13 scores below the proficient level on the reading
14 portion of the statewide assessments and who was
15 retained in the third grade the prior year
16 because of scoring below the proficient level on
17 the reading portion of the statewide assessments,
 - 18 (2) have a reduced teacher-student ratio,
 - 19 (3) provide uninterrupted reading instruction for the
20 majority of student contact time each day and
21 incorporate opportunities to master the fourth-
22 grade state standards in other core subject
23 areas,
- 24

- 1 (4) use a reading program that is scientific-
2 research-based and has proven results in
3 accelerating student reading achievement within
4 the same school year,
- 5 (5) provide intensive language and vocabulary
6 instruction using a scientific-research-based
7 program, including use of a speech-language
8 therapist,
- 9 (6) include weekly progress monitoring measures to
10 ensure progress is being made, and
- 11 (7) provide reports to the State Department of
12 Education, in the manner described by the
13 Department, outlining the progress of students in
14 the class at the end of the first semester,
- 15 h. provide reports to the State Board of Education, upon
16 request, on the specific intensive reading
17 interventions and supports implemented by the school
18 district. The State Superintendent of Public
19 Instruction shall annually prescribe the required
20 components of the reports, and
- 21 i. provide to a student who has been retained in the
22 third grade and has received intensive instructional
23 services but is still not ready for grade promotion,
24 as determined by the school district, the option of

1 being placed in a transitional instructional setting.
2 A transitional setting shall specifically be designed
3 to produce learning gains sufficient to meet fourth-
4 grade performance standards while continuing to
5 remediate the areas of reading deficiency.

6 P. In addition to the requirements set forth in this section,
7 each school district board of education shall annually report to the
8 parent or guardian of each student in the district the progress of
9 the student toward achieving state and district expectations for
10 proficiency in reading, writing, science, and mathematics. The
11 school district board of education shall report to the parent or
12 guardian of each student the results on statewide assessments
13 administered pursuant to Section 1210.508 of this title. The
14 evaluation of the progress of each student shall be based upon
15 classroom work, observations, tests, district and state assessments,
16 and other relevant information. Progress reporting shall be
17 provided to the parent or guardian in writing.

18 Q. 1. Each school district board of education shall annually
19 publish on the school website, and report in writing to the State
20 Board of Education by September 1 of each year, the following
21 information on the prior school year:

- 22 a. the provisions of this section relating to public
23 school student progression and the policies and
24

1 procedures of the school district on student retention
2 and promotion,

3 b. by grade, the number and percentage of all students in
4 grades three through ten performing below the
5 proficient level on the reading portion of the
6 statewide assessment administered pursuant to Section
7 1210.508 of this title,

8 c. by grade, the number and percentage of all students
9 retained in grades three through ten,

10 d. information on the total number and percentage of
11 students who were promoted for good cause, by each
12 category of good cause as specified above, and

13 e. any revisions to the policies of the school district
14 on student retention and promotion from the prior
15 year.

16 2. The State Department of Education shall establish a uniform
17 format for school districts to report the information required in
18 this subsection. The format shall be developed with input from
19 school districts and shall be provided not later than ninety (90)
20 days prior to the annual due date. The Department shall annually
21 compile the information required, along with state-level summary
22 information, and report the information to the public, the Governor,
23 the President Pro Tempore of the Senate, and the Speaker of the
24 House of Representatives.

1 R. The State Department of Education shall provide technical
2 assistance as needed to aid school districts in administering the
3 provision of the Reading Sufficiency Act.

4 S. On or before December 31 of each year, the State Department
5 of Education shall issue to the Governor, the President Pro Tempore
6 of the Senate, the Speaker of the House of Representatives and
7 members of the Senate and House of Representatives Education
8 Committees a Reading Report Card for the state and each school
9 district and elementary site which shall include, but is not limited
10 to, trend data detailing three (3) years of data, disaggregated by
11 student subgroups to include economically disadvantaged, major
12 racial or ethnic groups, students with disabilities, and English
13 language learners, as appropriate for the following:

14 1. The number and percentage of students in kindergarten
15 through third grade determined to be at risk for reading
16 difficulties compared to the total number of students enrolled in
17 each grade;

18 2. The number and percentage of students in kindergarten who
19 continue to be at risk for reading difficulties as determined by the
20 year-end measurement of reading progress;

21 3. The number and percentage of students in kindergarten
22 through third grade who have successfully completed their program of
23 reading instruction and are reading on grade level as determined by
24 the results of approved reading assessments;

1 4. The number and percentage of students scoring at each
2 performance level on the reading portion of the statewide third-
3 grade assessment administered pursuant to Section 1210.508 of this
4 title;

5 5. The number of students tested, the number of students
6 promoted through meeting proficiency on a screening instrument as
7 provided for in subsection H of this section, the number of students
8 promoted through each of the good-cause exemptions as provided for
9 in subsection K of this section and the number of students retained
10 and the number of students promoted through probationary promotion
11 as provided for in subsection H of this section for each elementary
12 site;

13 6. Data tracking the progression of students promoted through
14 each of the good-cause exemptions as provided for in subsection K of
15 this section and students promoted through probationary promotion or
16 students who are retained in third grade as provided for in
17 subsection H of this section through the eighth grade. The data
18 shall include but not be limited to information regarding whether
19 students graduate on time;

20 7. The amount of funds for reading remediation received by each
21 district;

22 8. An evaluation and narrative interpretation of the report
23 data analyzing the impact of the Reading Sufficiency Act on
24 students' ability to read at grade level;

1 9. The type of reading instruction practices and methods
2 currently being used by school districts in the state;

3 10. Socioeconomic information, access to reading resources
4 outside of school and screening for and identification of learning
5 disabilities for students not reading at the appropriate grade level
6 by third grade;

7 11. The types of intensive remediation efforts being conducted
8 by school districts to identify best practices for students that are
9 not reading at the appropriate grade level and are not retained
10 under the provisions of this section; and

11 12. Any recommendations for improvements or amendments to the
12 Reading Sufficiency Act.

13 The State Department of Education may contract with an
14 independent entity for the reporting and analysis requirements of
15 this subsection.

16 T. Copies of the results of the assessments administered shall
17 be made a part of the permanent record of each student.

18 SECTION 3. This act shall become effective November 1, 2019.

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